



**THE VILLAGE OF SAUK VILLAGE COOK
COUNTY, ILLINOIS**

**ORDINANCE NUMBER
21-008**

**AN ORDINANCE AMENDING DIVISION 6 "MOBILE FOOD DISPENSERS" OF
ARTICLE IX "FOOD AND FOOD HANDLERS" OF CHAPTER 18 "BUSINESS AND
BUSINESS REGULATIONS" OF THE SAUK VILLAGE MUNICIPAL CODE TO
REGULATE TEMPORARY FOOD DEALERS**

**DERRICK BURGESS, President MARVA
CAMPBELL-PRUITT, Clerk**

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TRUSTEES

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WHEREAS, the Village of Sauk Village, State of Illinois (the "Village") is a duly organized and existing municipality and unit of local government created under the provisions of the laws of the State of Illinois, and is operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefit of the residents of the Village; and

WHEREAS, pursuant to the Illinois Municipal Code, 65 ILCS 5/11-20-2, the Corporate Authorities of a municipality may regulate the sale of all beverages and food for human consumption, and may locate and regulate the places and the manner in which any beverage or food for human consumption is sold; and

WHEREAS, the Corporate Authorities have determined it to be in the best interests of the Village to amend the text of the Municipal Code to regulate temporary food dealers in the Village of Sauk Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Sauk Village, Cook County, Illinois as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. Division 6 "Mobile Food Dispensers" of Article IX "Food and Food Handlers" of Chapter 18 "Business and Business Regulations" of the Sauk Village Municipal Code is hereby amended by eliminating the stricken text and adding the underlined text as follows:

~~DIVISION 6—MOBILE FOOD DISPENSERS~~

~~Sec. 18-546. License required; application.~~

- ~~(a) It shall be unlawful to sell or offer for sale, or to peddle, any ice cream, candy, confection, custard or vegetable fat product or beverage for human consumption from any vehicle, including motor vehicles and nonmotorized vehicles, on any public street or alley without a license.~~
- ~~(b) Any person making application for the license required by the provisions of this division shall apply in writing to the village clerk in accordance with the provisions of article II of this chapter.~~

~~{Code 1977, §§ 10-97, 10-98; Code 2005, § 117.085}~~

~~Sec. 18-547. Sanitation.~~

- ~~(a) All vehicles within the scope of this division shall be kept in a clean and sanitary condition and shall be thoroughly cleaned each day they are so used. It shall be unlawful to permit stale foods, decaying matter, or any other waste material or product to accumulate in or on any such vehicle while it is so used.~~
- ~~(b) If unwrapped foodstuffs are transported in any such vehicle, such foods shall be carried in a portion or compartment of the vehicle which is screened and protected against dust and insects.~~
- ~~(c) Every such vehicle shall have affixed to the outside of the vehicle an adequate waste receptacle.~~

~~{Code 1977, § 10-99; Code 2005, § 117.086}~~

~~Sec. 18-548. Temperature control.~~

~~Readily perishable foods or beverages while in transit in a vehicle within the scope of this division shall be maintained at a temperature of not less than 35 degrees Fahrenheit and not more than 50 degrees Fahrenheit. The temperature for hot liquid foods or beverages shall be maintained at not less than 150 degrees Fahrenheit and for frozen foods at not more than 32 degrees Fahrenheit. The compartments in vehicles used for carrying such food shall be so constructed, equipped and maintained as to preserve the temperature required for the respective types of food.~~

~~{Code 1977, § 10-100; Code 2005, § 117.087}~~

~~Sec. 18-549. Vehicle operators; chest X-rays.~~

- ~~(a) It shall be unlawful for any person to whom a license has been issued pursuant to the provisions of this division to authorize, direct, permit or suffer the dispensing of any food product by any person suffering from or infected with a communicable or contagious infectious disease. It shall be unlawful for any person suffering from any communicable or contagious infectious disease to dispense any food product from any vehicles operated pursuant to the terms of this article.~~
- ~~(b) No person shall operate, nor shall any person be authorized, directed, permitted or suffered to operate, such a vehicle and dispense food products therefrom unless the person shall first have submitted to the health officer suitable evidence of negative results of a chest X-ray for the detection~~

of the disease commonly known as tuberculosis or other pulmonary or respiratory diseases, which X-ray tests shall not have been administered more than 30 days before the person dispenses food products in accordance with any license issued pursuant to this article.

~~{Code 1977, § 10-101; Code 2005, § 117.088}~~

~~Sec. 18-550.—Stopping, standing and parking of vehicles.~~

~~It shall be unlawful to permit any such vehicle within the scope of this division to stand or remain in any place where parking of vehicles is prohibited, to sell or offer any commodity for sale on any through street, or at any place or time when an unusual traffic hazard or danger to prospective customers exists or within 200 feet of the scene of any accident or destructive fire or any place where the members of the fire or police departments are responding to an emergency call.~~

~~{Code 1977, § 10-102; Code 2005, § 117.089}~~

~~Sec. 18-551.—Hours of operation.~~

~~It shall be unlawful for any person to sell or offer for sale or to peddle any ice cream, candy, confection, custard or vegetable fat product or beverage for human consumption upon the public streets between 9:00 p.m. and 8:00 a.m. of the following day.~~

~~{Code 1977, § 10-103; Code 2005, § 117.090}~~

~~Sec. 18-552.—Inspections.~~

~~The health officer or other person designated by the corporate authorities shall conduct periodic inspections of the vehicles used for dispensing products by any licensee pursuant to the terms of this division. Such inspections shall be for the purpose of determining compliance with the terms of this division and ensuring that clean, wholesome and safe food products are dispensed to the people of the village from vehicles properly equipped, maintained and operated on the public ways within the village for that purpose. No advance notice of such inspections shall be required, but the same may be given to any licensee.~~

~~{Code 1977, § 10-105; Code 2005, § 117.091}~~

~~Sec. 18-553.—Violations; revocation or suspension.~~

- ~~(a) In addition to the penalty provided by this Code, any license issued pursuant to this division may be suspended by order of the health officer or the corporate authorities upon the violation of any of the health and safety requirements of this division. No legal proceedings of any kind shall be required prior to such suspension. No suspension of any license hereunder shall terminate unless and until the licensee has affirmatively shown that the violations for which suspension of the license was imposed have been cured or corrected. The health officer or the corporate authorities, as the case may be, shall, at the time of notification of suspension, give written notice of the reasons therefor to the licensee.~~
- ~~(b) In addition, the license of any person who, in the opinion of the corporate authorities, shall continue to violate any of the terms of this division, shall be revoked. Continued violation shall be construed to mean more than one violation of any provision of this division, without regard to any legal proceedings pending or which may or may not be brought.~~
- ~~(c) The licensee shall be entitled to a review hearing before the corporate authorities, upon written petition for review, to be filed within five days after notification of suspension or revocation.~~

~~{Code 1977, § 10-105; Code 2005, § 117.092}~~

~~Secs. 18-554—18-584.—Reserved.~~

DIVISION 6.- TEMPORARY FOOD DEALERS

Sec. 18-546.- Defined.

Temporary food dealers are those persons engaged in the business of selling food at retail for human consumption at a temporary location for a temporary period through the use of a vehicle, cart, or temporary structure. Temporary food dealers include, but are not limited to, pop-up food dispensers, food trucks, and peddlers. This section does not apply to Cottage Food Operations as defined by the Food Handling Regulation Enforcement Act, 410 ILCS 625/4.

Sec. 18-547.- License Required

- (a) It shall be unlawful to engage in the business of selling food at retail for human consumption at a temporary location within the Village without a license.
- (b) Any person making application for a license required by the provisions of this division shall apply in writing to the Community Development Director in accordance with the provisions of Article II of this Chapter and shall be required to produce the proper permits from the Cook County Health Department.
- (c) Licenses shall be in the amount adopted by the most recent Fee Schedule Ordinance.

Sec. 18-548.- Regulations

- (a) Each temporary food dealer must apply for and receive a Temporary Food Service Permit from the Cook County Department of Health.
- (b) If food is prepared and packaged at an off-site establishment, the off-site establishment must possess a valid Cook County Health Department permit.
- (c) All temporary food dealers must obtain the express written consent of the owner of the property, including the Village on Village owned lands, wherein it will sell food and shall produce same when requested by an authorized Village official or employee.
- (d) No temporary food dealer may be located within 300 feet of the entrance to a business establishment which is open for business and is offering food for sale, unless the owner of the business establishment provides its express written consent to the temporary food dealer.
- (e) All temporary food dealers must provide a trash can to consumers and must take care to not allow the accumulation of waste or debris within the vicinity of the temporary location.
- (f) Hours of Operation: It shall be unlawful for a temporary food dealer to engage in business between the hours of 9:00 pm and 8:00 am.

Sec. 18-549.- Sanitation

- (a) Each temporary food dealer must adhere to cook county health department regulations and all state and local laws.
- (b) All temporary locations within the scope of this division shall be kept in a clean and sanitary condition and shall be thoroughly cleaned each day they are so used. It shall be unlawful to permit

stale foods, decaying matter, or any other waste material or product to accumulate in or on any such location while it is so used.

- (c) It shall be unlawful for any person to whom a license has been issued pursuant to the provisions of this division to authorize, direct, permit or suffer the dispensing of any food product by any person suffering from or infected with a communicable or contagious infectious disease. It shall be unlawful for any person suffering from any communicable or contagious infectious disease to dispense any food product from any vehicles operated pursuant to the terms of this article.
- (d) The temporary food dealer is subject to random inspections by the Community Development Department.

18-550. Violations, Penalties.

- (a) A violation of this division shall result in a fine of \$500.00.
- (b) Any license issued pursuant to this division may be suspended by order of the Community Development Director or the corporate authorities upon the violation of any of the requirements of this division. No legal proceedings of any kind shall be required prior to such suspension. No suspension of any license hereunder shall terminate unless and until the licensee has affirmatively shown that the violations for which suspension of the license was imposed have been cured or corrected. The health officer or the corporate authorities, as the case may be, shall, at the time of notification of suspension, give written notice of the reasons therefor to the licensee.
- (c) In addition, the license of any person who, in the opinion of the corporate authorities, shall continue to violate any of the terms of this division, shall be revoked. Continued violation shall be construed to mean more than one violation of any provision of this division, without regard to any legal proceedings pending or which may or may not be brought.
- (d) The licensee shall be entitled to a review hearing before the corporate authorities, upon written petition for review, to be filed within five days after notification of suspension or revocation.

Section 3. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 4. Any Ordinance or portion of any Ordinance in conflict with the provisions of this Ordinance is hereby repealed solely to the extent of such conflict.

Section 5. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

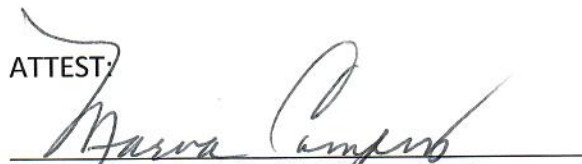
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ADOPTED by the President and Board of Trustees of the Village of Sauk Village, Cook County, Illinois this 27th day of April 2021, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Bell	X			
Brewer	X			
Grant	X			
Jasinski	X			
Todd	X			
Williams	X			
(President Burgess)				
TOTAL	6			

APPROVED by the President of the Village of Sauk Village, Cook County, Illinois on this 27TH day of April 2021.


Derrick Burgess, Village President

ATTEST:

Marva Campbell-Pruitt, Village Clerk



STATE OF ILLINOIS

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) SS

COUNTY OF COOK

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CERTIFICATION

I, Marva Campbell-Pruitt, do hereby certify that I am the duly qualified and elected Clerk of the Village of Sauk Village, Cook County, Illinois, and that as such Clerk I do have charge of and custody of the books and records of the Village of Sauk Village, Cook County, Illinois.

I do hereby further certify that the foregoing is a full, true and correct copy of Ordinance No. 21-008,

“AN ORDINANCE AMENDING DIVISION 6 “MOBILE FOOD DISPENSERS” OF ARTICLE IX “FOOD AND FOOD HANDLERS” OF CHAPTER 18 “BUSINESS AND BUSINESS REGULATIONS” OF THE SAUK VILLAGE MUNICIPAL CODE TO REGULATE TEMPORARY FOOD DEALERS,”

adopted and approved by the President and Board of Trustees of the Village of Sauk Village, Illinois on April 27, 2021.

IN WITNESS WHEREOF, I have hereunto affixed my hand and the Corporate Seal of the Village of Sauk Village, Cook County, Illinois this 28th day of April 2021.



Marva Campbell-Pruitt
Village Clerk
Village of Sauk Village

